

REMARKS

The present application has been reviewed in light of the Office Action dated July 20, 2009. Claims 1, 3-5 and 15 are presented for examination, with Claim 1 being in independent form. Claim 2 has been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claim 1 has been amended to incorporate the features of dependent Claim 2. Favorable reconsideration is requested.

The Office Action states that Claims 1-5 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,034,807 (Van Kohorn). Applicants submit that independent Claim 1, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Van Kohorn relates to a system for evaluation and rewarding of responses and predictions to broadcast programs, such as television programs. Audiences in the studio and external audiences are able to participate and submit responses to inquiries via keyboard 44 on response unit 22. The responses are then submitted and scored. As discussed at Column 19, lines 8-19 of Van Kohorn, external audiences participate with members of the studio audience. The responses from the studio audience are delayed to prevent external audiences from benefiting.

Although Van Kohorn allows for the participation with external and studio audiences, Van Kohorn is silent regarding allowing the external and studio audiences to be able to communicate with each other. Van Kohorn, therefore, fails to teach or suggest an interface communicatively coupled to a network for facilitating communication between a participant and a plurality of other participants, as in the present invention as recited in independent Claim 1.

Accordingly, Applicants submit that Claim 1 is not anticipated by Van Kohorn, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b).

The other rejected claims in this application depend from independent Claim 1 discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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